

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**Caption in Compliance with D.N.J. LBR 9004-1(b)***[Enter your name, address and telephone number]*

SCOTT M. WILHELM, Esq.
 Wilhelm & Roemersma, P.C.
 305 Roseberry Street
 Phillipsburg, New Jersey 08865
 Telephone: (908) 454-3200
 Facsimile: (908) 454-3322
 Email: wilhelms@wwgrlaw.com
 Attorney for Debtors

In Re:*[Enter the debtor's name(s)]*

Anthony LaMarco

Case No.: 20-13270 (VFP)
*[Enter the case number]*Chapter: 13
*[Enter the chapter; example: 13]*Hearing Date: May 1, 2025
*[Enter the hearing date]*Judge: Vincent F. Papalia
*[Enter the Judge's last name]***NOTICE OF MOTION TO VACATE DISMISSAL AND***[Enter the relief sought]* to Allow Debtors to Complete Plan*[Enter your name]* Anthony LaMarco has filed papers with the court to *[Enter the relief sought]* To vacate
dismissal and allow Debtor to complete Chapter 13 payments.

YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the court to grant this motion, or if you want the court to consider your views, you or your attorney must file with the clerk at the address listed below, a written response explaining your position no later than 7 days prior to the hearing date.

Hearing Date: May 1, 2025
*[Enter the date of the hearing]*Hearing Time: 10:00 a.m.
*[Enter the time of the hearing]*Hearing Location: 50 Walnut Street
[Enter the location of the hearing]
Newark, NJ 07102Courtroom Number: 3B
[Enter the courtroom number]

If you mail your response to the clerk for filing, you must mail it early enough so the court will receive it on or before 7 days prior to the hearing date.

You must also mail a copy of your response to:

Marie-Ann Greenberg, Standing Chapter 13 Trustee
30 Two Bridges Road
Fairfield, NJ 07004

Office of the United States Trustee
One Newark Center
1085 Raymond Boulevard
Suite 2100 Newark, NJ 07102

Laura Egerman
McCalla Raymer Leibert Pierce, LLC
485F US Highway 1 South
Suite 200
Iselin, NJ 08830

Flagstar Bank
PO BOX 660263
Dallas TX 75266

Denise E. Carlon
KML Law Group, PC
701 Market Street
Suite 50000
Philadelphia, PA 19106

Melanie Carmela Grime
Phelan Hallinan Diamond & Jones, PC
1617 JFK Blvd.
Suite 1400
Philadelphia, PA 19103

Melissa N. Licker
Hill Wallack, LLP
261 Madison Avenue
9th Floor
New York, NY 10016

Sherri Jennifer Smith
Pincus Law Group, PLLC
425 RXR Plaza
Uniondale, NY 11556

Robert Davidow
Mason, Griffin & Pierson, PC
101 Poor Farm Road
Princeton, NJ 08540

Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541

If you, or your attorney, do not take the steps outlined above, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: April 4, 2025
[Enter the date this document is signed]

/s/Anthony LaMarco
Signature *[Of the party seeking relief]*

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[Enter your name, address and telephone number]

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Phillipsburg, New Jersey 08865
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Email: wilhelms@wwgrlaw.com
Attorney for Debtors

In Re:
[Enter the debtor's name(s)]

Anthony LaMarco

Case No.: 20-13270 (VFP)
[Enter the case number]

Chapter: 13
[Enter the chapter]

Hearing Date: May 1, 2025
[Enter the hearing date]

Judge: Vincent F. Papalia
[Enter the judge's last name]

CERTIFICATION OF ANTHONY LAMARCO

[Enter the name of the person that has personal knowledge of the facts set forth below]

I, *[Enter the name of the person that has personal knowledge of the facts set forth below]*

Anthony LaMarco, *[Enter their relationship to the case. For example: debtor, creditor]* Debtor in the above captioned case, submits this Certification in support of the Motion To Vacate Dismissal and to allow Debtor to complete Plan filed by me on *[Enter the date the motion was filed]* April 4, 2025.

1. I submit this Certification in support to allow me to complete my Chapter 13 Plan payments.
2. The bankruptcy case was filed on February 27, 2020.
3. On February 24, 2025, my case was dismissed because I allegedly failed to make Plan payments.

4. Through this Motion, I request that the Court reopen the case so I have the opportunity to complete the Plan payments.

5. This Court should re-instate the case to allow me to complete the Plan payments because I have tendered all Plan payments. However, due to unexpected financial pressures, I fell behind.

6. On February 27, 2020, I filed the Chapter 13 bankruptcy petition. *See ECF document #1*. Immediately thereafter, I began making plan payments as instructed by our attorney.

7. On June 22, 2020, this Court entered and “Order Confirming Chapter 13 Plan. As of that date, I had made payments in the sum of \$1,400.00. The Plan called for fifty-six (56) additional payments at the rate of \$350.00 per month for nineteen (19) months and \$1,075.00 from this date (37) months. *See ECF document #28*.

8. The Trustee filed annual reports on January 17, 2021; January 15, 2022; January 16, 2023; January 12, 2024 and January 18, 2025, which indicate that, through January 18, 2025, I had made plan payments in the aggregate sum of \$44,600.00. *See ECF documents #36, 40, 41, 50 and 69*.

9. The number of plan payments due from February 27, 2020 filing and today were sixty (60) payments. My first twenty-three (23) payments totaled \$8,050.00. My next thirty-seven (37) payments totaled \$39,779.00. This combined sum of \$47,825.00 (\$8050.00 + \$39,775.00) is consistent with the Trustee’s reports.

10. Since the Trustee’s January 18, 2025 Annual Report, I have regular payments.

11. I acknowledge that as of this date I am a mere \$500.00 in arrears.

12. On February 24, 2025, the Trustee filed a Certification of Default. *See ECF document #72*.

13. I do know what date I received the Trustee’s Certification.

14. The Certification sets the cure date of March 10, 2025.

15. I believe that I have strong Plan payment history as evidenced herein which demonstrates good faith. I did the very best I could. I do not believe that we should be denied the opportunity to complete the Chapter 13 Plan when we are so close to its good faith completion and am only \$500.00 in arrears.

16. I am prepared to tender the \$500.00 arrears immediately once the case is reinstated.

17. None of the Creditors will be prejudiced if the case is reopened.

I certify under penalty of perjury that the above is true.

Date: April 4, 2025
[Enter the date this document is signed]

/s/Anthony LaMarco
Signature
[Of the party with actual knowledge of the facts set forth above]

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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[Enter your name, address and telephone number]

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305 Roseberry Street
Phillipsburg, New Jersey 08865
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Email: wilhelms@wwgrlaw.com
Attorney for Debtors

In Re:
[Enter the debtor's name(s)]

Anthony LaMarco

Case No.: 20-10406 (VFP)
[Enter the case number]

Chapter: 13
[Enter the chapter; example: 13]

Hearing Date: May 1, 2025
[Enter the hearing date]

Judge: Vincent F. Papalia
[Enter the Judge's last name]

STATEMENT AS TO WHY NO BRIEF IS NECESSARY

In accordance with D.N.J. LBR 9013-1(a)(3), it is respectfully submitted that no brief is necessary in the court's consideration of this motion, as it does not involve complex issues of law.

Date: April 5, 2025
[Enter date this document is signed]

/s/Anthony LaMarco
Signature *[Of party seeking relief]*

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Attorney for Debtors

In Re:

[Enter the debtor's name(s)]

Anthony LaMarco

Case No.: 20-13270 (VFP)
[Enter the case number]

Chapter: 13
[Enter the chapter of the case]

Hearing Date: May 1, 2025
[Enter the hearing date]

Judge: Vincent F. Papalia
[Enter the Judge's last name]

CERTIFICATION OF SERVICE

1. I, Scott M. Wilhelm, Esq.:

☒ represent Anthony LaMarco in this matter.

2. On April 3, 2025, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below.

[Place a check next to each document you served]

☒ Notice of Motion To Vacate Dismissal and to allow Debtors to complete Plan

☒ Certification in Support of Motion to Vacate Dismissal and to Allow Debtors to complete Plan

☒ Statement as to Why No Brief is Necessary

☒ Proposed Order Granting Motion To Vacate Dismissal and to allow Debtors to complete Plan

☐ Other *[Enter title of document]* _____

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Date: April 4, 2025
[Enter the date you signed this document]

/s/Scott M. Wilhelm, Esq.
Signature *[Of the person who served the documents]*

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
United States Trustee	United States Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input checked="" type="checkbox"/> Other: ECF (As authorized by the court or rule. Cite the rule if applicable.)
Marie-Ann Greenberg 30 Two Bridges Road Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input checked="" type="checkbox"/> Other: ECF (As authorized by the court or rule. Cite the rule if applicable.)
Laura Egerman McCalla Raymer Leibert Pierce, LLC 485F US Highway 1 South Suite 200 Iselin, NJ 08830	Creditor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other: ____ (As authorized by the court or rule. Cite the rule if applicable.)
Name and Address of Party Served	Relationship of Party to the Case	Mode of Service

<p>Flagstar Bank PO BOX 660263 Dallas TX 75266</p>	<p>Creditor</p>	<p><input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other: _____ (As authorized by the court or rule. Cite the rule if applicable.)</p>
<p>Denise E. Carlon KML Law Group, PC 701 Market Street Suite 50000 Philadelphia, PA 19106</p>	<p>Creditor</p>	<p><input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other: _____ (As authorized by the court or rule. Cite the rule if applicable.)</p>
<p>Melanie Carmela Grime Phelan Hallinan Diamond & Jones, PC 1617 JFK Blvd. Suite 1400 Philadelphia, PA 19103</p>	<p>Creditor</p>	<p><input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other: _____ (As authorized by the court or rule. Cite the rule if applicable.)</p>
<p>Melissa N. Licker Hill Wallack, LLP 261 Madison Avenue 9th Floor New York, NY 10016</p>	<p>Creditor</p>	<p><input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other: _____ (As authorized by the court or rule. Cite the rule if applicable.)</p>
<p>Sherri Jennifer Smith Pincus Law Group, PLLC 425 RXR Plaza Uniondale, NY 11556</p>	<p>Creditor</p>	<p><input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other: _____ (As authorized by the court or rule. Cite the rule if applicable.)</p>

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Robert Davidow Mason, Griffin & Pierson, PC 101 Poor Farm Road Princeton, NJ 08540	Creditor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other: _____ (As authorized by the court or rule. Cite the rule if applicable.)
Synchrony Bank c/o PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541	Creditor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other: _____ (As authorized by the court or rule. Cite the rule if applicable.)

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Anthony LaMarco

Case No.: 20-13270 (VFP)
[Enter the case number]

Chapter: 13
[Enter the case number]

Hearing Date: May 1, 2025
[Enter the hearing date]

Judge: Vincent F. Papalia
[Enter the Judge's last name]

**ORDER GRANTING MOTION TO VACATE DISMISSAL AND TO ALLOW DEBTORS TO
COMPLETE PLAN**

The relief set forth on the following pages, numbered two (2) through *[enter the number of the last page of this Order]* _____ is **ORDERED**.

[Leave the rest of this page blank]

The Court having reviewed the movant's Motion to Vacate Dismissal and To allow debtors to complete chapter 13 payments, and any related responses or objections, it is hereby

ORDERED that:

1. *[Enter the relief sought or ordered by the Court at the hearing. Each item of relief must be set forth in a separate numbered paragraph]* this Court's February 24, 2025 Order of Dismissal is vacated and Debtors are permitted to complete Plan Payments.

2. *[Enter the relief sought or ordered by the Court at the hearing. Each item of relief must be set forth in a separate numbered paragraph]* Debtor's counsel shall immediately tender \$500.00 in his possession to complete the case.

3. *[Enter the relief sought or ordered by the Court at the hearing. Each item of relief must be set forth in a separate numbered paragraph]* _____

4. *[Enter the relief sought or ordered by the Court at the hearing. Each item of relief must be set forth in a separate numbered paragraph]* _____
